

01-29-01

# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

2000-0407

Total Pages

43

First Named Inventor or Application Identifier

Robert Raymond Miller II et al.

Express Mail Label No.

EL700777068US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

### 1. Fee Transmittal Form

(submit an original, and a duplicate for fee processing)

### 2. ☒ Specification [Total Pages 27]

(preferred arrangement set forth below)

Descriptive title of invention

Cross References to Related Applications

Statement Regarding Fed sponsored R&D

Reference to Microfiche Appendix

Background of the Invention

Brief Summary of the Invention

Brief Description of the Drawings(if filed)

Detailed Description

Claim(s)

Abstract of the Disclosure

### 3. ☒ Drawing(s)(35 USC 113) [Total Sheets 4]

### 4. Oath or Declaration [Total Pages 3]

a. ☒ Newly executed (original or copy)

b. ☐ Copy from a prior application(37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]

i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b)

### 5. ☐ Incorporation by reference(seeable if Box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath  
or declaration is supplied under Box 4b, is considered as being part of the  
disclosure of the accompanying application and is hereby incorporated by  
reference herein.

6. ☐ Microfiche Computer Program (Appendix)

7. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

a. ☐ Computer Readable Copy

b. ☐ Paper Copy(identical to computer copy)

c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers(cover sheet & document(s))

9. ☐ 37 CFR 3.73(b)Statement ☐ Power of Attorney

10. ☐ English Translation Document (if applicable)

11. ☒ Information Disclosure ☒ Copies of IDS  
Statement(IDS)/PTO-1449 Citations

12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

14. ☐ Small Entity ☐ Statement filed in prior application,  
Statement(s) Status still proper and desired

15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16. ☒ Other: Request for Non-Publication

### 17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior Application No:

## 18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

NAME Samuel H. Dworetzky

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## 19. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME Alfred G. Steinmetz

Reg. #

22971

TELEPHONE 908-221-5462

SIGNATURE *Alfred G. Steinmetz*

DATE

Jan. 26, 2001

"Express Mail" Mailing Label Number EL700777068US

Date of Deposit

I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington D.C. , 20231

ANN B. TAYLOR

(Printed Name of Person Mailing Paper)

*Ann B. Taylor*

(Signature of Person Mailing Paper)

**FEE TRANSMITTAL**

Patent Fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997

Small Entity payments must be supported by a small entity Statement, otherwise, large entity fees must be paid. See Forms PTO/SB/09-12**Complete if Known****TOTAL AMOUNT  
OF PAYMENT** \$880.00

Application Number

Filing Date

First Named Inventor Robert Raymond Miller II et al.

Examiner Name

Group/Art Unit

Attorney Docket No. 2000-0407

**METHOD OF PAYMENT (check one)**

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 01-2745  
Deposit Account Name AT&T CORP.Charge Any Additional Fee  
Required Under 37 CFR 1.16  
and 1.17☐ Charge the Issue Fee Set in 37  
CFR 1.18 at the Mailing Date  
of the Notice of Allowance2. ☐ Payment Enclosed☐ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. FILING FEE**

Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
101	710	Utility Filing Fee	\$710.00
106	320	Design Filing Fee	
107	480	Plant Filing Fee	
108	710	Reissue Filing Fee	
114	150	Provisional Filing Fee	

**SUBTOTAL (1)** \$710.00**2. CLAIMS** ☐ New Filing ☐ Amendment

Total	Ind.	Extra Claims	Fee from below	Fee Paid
25	20	5	18	\$90.00
4	3	1	80	\$80.00
Multiple Dependent Claims		0		\$0.00

Large Fee Code	Entity Fee(\$)	Fee Description
103	18	Claims in excess of 20
102	80	Independent Claims in excess of 3
104	270	Multiple Dependent Claims
109	80	Reissue independent claims over original patent
110	18	Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** \$170.00**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	
127	50	Surcharge - late provisional filing fee or cover sheet	
139	130	Non-English specification	
147	2520	For filing a request for reexamination	
112	920*	Requesting publication of SIR prior to Examiner action	
113	1840*	Requesting publication of SIR after to Examiner action	
115	110	Extension for reply within first month	
116	390	Extension for reply within second month	
117	890	Extension for reply within third month	
118	1390	Extension for reply within fourth month	
128	1890	Extension for reply within fifth month	
119	310	Notice of Appeal	
120	310	Filing a brief in support of an appeal	
121	270	Request for oral hearing	
138	1510	Petition to institute a public use proceeding	
140	110	Petition to revive - unavoidable	
141	1240	Petition to revive - unintentional	
142	1240	Utility issue fee (or reissue)	
143	440	Design issue fee	
144	580	Plant issue fee	
122	130	Petitions to the Commissioner	
123	50	Petitions related to provisional applications	
126	240	Submission of Information Disclosure Statement	
581	40	Recording each patent assignment per property(times number of properties)	
146	710	Filing a submission after final rejection(37 CFR 1.129(a))	
149	710	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify)

Other fee (specify)

\* Reduced by Basic  
Filing Fee Paid**SUBTOTAL(3)****SUBMITTED BY**

Typed or Printed Name Alfred G. Steinmetz

Signature

Alfred G. Steinmetz

Date

01/26/2001

Deposit Account User ID

**Complete (if applicable)**

Reg. Number 22971

SEND TO: Commissioner for Patents, Box: Patent Application, Washington, D.C. 20231

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Robert Raymond Miller II et al.
	Title	Power Allocation Scheme For DMT-Based Modems Employing Simplex Transmission
	Atty Docket Number	2000-0407

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Jan. 26, 2001  
Date

Alfred G. Steinmetz  
Signature

Alfred G. Steinmetz, Attorney  
Reg. No. 22971

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

4-962 U.S. PRO  
09/771181  
01/26/01